

# COMMITTEE REPORT

---

## MADAM PRESIDENT:

**The Senate Committee on Elections, to which was referred Senate Bill No. 14, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:**

- 1       Page 1, between the enacting clause and line 1, begin a new
- 2       paragraph and insert:
- 3       "SECTION 1. IC 3-11-10-26, AS AMENDED BY P.L.164-2006,
- 4       SECTION 109, IS AMENDED TO READ AS FOLLOWS
- 5       [EFFECTIVE JULY 1, 2009]: Sec. 26. (a) As an alternative to voting
- 6       by mail, a voter is entitled to cast an absentee ballot before an absentee
- 7       voter board:
- 8           (1) in the office of the circuit court clerk (or board of elections
- 9           and registration in a county subject to IC 3-6-5.2); or
- 10          (2) at a satellite office established under section 26.3 of this
- 11          chapter.
- 12       (b) The voter must:
- 13           (1) sign an application on the form prescribed by the commission
- 14           under IC 3-11-4-5.1; and
- 15           (2) provide proof of identification;
- 16       before being permitted to vote. The application must be received by the
- 17       circuit court clerk not later than the time prescribed by IC 3-11-4-3.
- 18       (c) The voter may vote before the board not more than twenty-nine
- 19       (29) days nor later than noon on the day before election day.
- 20       (d) An absent uniformed services voter who is eligible to vote by

absentee ballot in the circuit court clerk's office under IC 3-7-36-14 may vote before the board not earlier than twenty-nine (29) days before the election and not later than noon on election day. If a voter described by this subsection wishes to cast an absentee ballot during the period beginning at noon on the day before election day and ending at noon on election day, the county election board or absentee voter board may receive and process the ballot at a location designated by resolution of the county election board.

(e) The absentee voter board in the office of the circuit court clerk must permit voters to cast absentee ballots under this section for at least seven (7) hours on each of the two (2) Saturdays preceding election day.

(f) Notwithstanding subsection (e), in a county with a population of less than twenty thousand (20,000), the absentee voter board in the office of the circuit court clerk, with the approval of the county election board, may reduce the number of hours available to cast absentee ballots under this section to a minimum of four (4) hours on each of the two (2) Saturdays preceding election day.

(g) As provided by 42 U.S.C. 15481, a voter casting an absentee ballot under this section must be:

- (1) permitted to verify in a private and independent manner the votes selected by the voter before the ballot is cast and counted;
- (2) provided with the opportunity to change the ballot or correct any error in a private and independent manner before the ballot is cast and counted, including the opportunity to receive a replacement ballot if the voter is otherwise unable to change or correct the ballot; and
- (3) notified before the ballot is cast regarding the effect of casting multiple votes for the office and provided an opportunity to correct the ballot before the ballot is cast and counted.

(h) As provided by 42 U.S.C. 15481, when an absentee ballot is provided under this section, the board must also provide the voter with:

- (1) information concerning the effect of casting multiple votes for an office; and
- (2) instructions on how to correct the ballot before the ballot is cast and counted, including the issuance of replacement ballots.

(i) If:

- (1) the voter is unable or declines to present the proof of identification; or
- (2) a member of the board determines that the proof of identification provided by the voter does not qualify as proof of identification under IC 3-5-2-40.5;

1 the voter shall be permitted to cast an absentee ballot and the voter's  
2 absentee ballot shall be treated as a provisional ballot.

3 **(j) All locations where a voter is entitled to vote under this**  
4 **section must comply with the polling place accessibility**  
5 **requirements of IC 3-11-8."**

6 Renumber all SECTIONS consecutively.

(Reference is to SB 14 as introduced.)

**and when so amended that said bill do pass .**

Committee Vote: Yeas 9, Nays 0.

---

**Senator Landske, Chairperson**